

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

SCALABLE INSIGHTS, LLC; AND
DAVID PATTERSON,

Plaintiffs,

V.

BIHRLE APPLIED RESEARCH, INC.; BAR
HOLDINGS, INC. F/K/A ARDENNA, INC.;
AMERICAN ROBOTICS, INC.; AND
ONDAS HOLDINGS, INC.,

Defendants.

1:22-CV-00700

ORDER

Before the Court is the report and recommendation from United States Magistrate Judge Mark Lane concerning the BAR Defendants' Motion to Transfer, (Dkt. 86). (R. & R., Dkt. 95).

Pursuant to 28 U.S.C. § 636(b) and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, Judge Lane issued his report and recommendation on April 13, 2023. (*Id.*). As of the date of this order, no party has filed objections to the report and recommendation.

Pursuant to 28 U.S.C. § 636(b), a party may serve and file specific, written objections to a magistrate judge's proposed findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure de novo review by the district court. When no objections are timely filed, a district court can review the magistrate's report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee's note ("When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.").

Because no party has filed timely objections, the Court reviews the report and recommendation for clear error. Having done so and finding no clear error, the Court accepts and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the Report and Recommendation of the United States Magistrate Judge, (Dkt. 95), is **ADOPTED**. The BAR Defendants' Motion to Transfer, (Dkt. 86), is **GRANTED**.

IT IS FURTHER ORDERED that Defendants Ondas Holdings Inc. and American Robotics, Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction, (Dkt. 57), is **DISMISSED AS MOOT**.

IT IS FURTHER ORDERED that Defendants' Renewed Motion to Dismiss for Lack of Personal Jurisdiction or, in the Alternative, to Transfer Venue or to Dismiss for Improper Venue, (Dkt. 67), is **DISMISSED AS MOOT**.

IT IS FURTHER ORDERED that Defendants Ondas Holdings Inc. and American Robotics, Inc.'s Joinder in Support of Defendants Bihle Applied Research, Inc. and BAR Holdings, Inc.'s Motion to Transfer, (Dkt. 87), is **DISMISSED AS MOOT**.

IT IS FURTHER ORDERED that the case be **TRANSFERRED** to the Newport News Division of the Eastern District of Virginia.

IT IS FINALLY ORDERED that the Clerk of Court forward the file to the Newport News Division of the Eastern District of Virginia.

SIGNED on May 11, 2023.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE